

JULY 2007 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, July 10, 2007 at 10:00 a.m., and Wednesday, July 11, 2007, at 8:30 a.m. in Room 102 (Supreme Court Consultation Room), State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 25, 26, 1 ([6/6/07](#), [6/20/07](#), [7/4/07](#))

Also refer to: [2/28/07](#), [3/28/07](#), [4/11/07](#), [4/25/07](#), [5/9/07](#)

Bulletin Page

TUESDAY-JULY 10TH, 2007

10:00 FISCAL OVERVIEW

10:10 CREDIT UNION DIVISION[189] Rebecca Behrens 281-6516

COMMERCE DEPARTMENT[181]"umbrella"

Debt cancellation products, ch 5, Notice **ARC 5930B** [6/6/07](#) 1550

10:20 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261] Melanie Johnson (282-4862)

Reorganization of departmental rules, amend chs 1, 53, 57, 59, 60, 61, 68; rescind chs 2, 17, 103, 168; renumber 102 as ch 34, ch 104 as ch 33, ch 132 as ch 72 and chs 169 to 173 as chs 195 to 199; adopt chs 165, 171 to 175, 187 to 189, Notice **ARC 6027B**, also Filed Emergency **ARC 6026B** [7/4/07](#) 46

Workforce training and economic development funds, 9.1 to 9.10, Notice **ARC 6032B** [7/4/07](#) 17

Housing fund, 25.2, 25.6(8), 25.9(3), Notice **ARC 6029B** [7/4/07](#) 18

Film, television and video project promotion program, ch 36, Notice **ARC 6031B**, also Filed Emergency **ARC 6030B** [7/4/07](#) 69

COG assistance, 44.6, Notice **ARC 6028B** [7/4/07](#) 20

Enterprise zones, 59.2, 59.3(6), Notice **ARC 6033B** [7/4/07](#) 20

Renewable fuel infrastructure program—criteria for waiver of repayment requirements, 314.5(4), 314.5(5), Filed **ARC 5947B** [6/20/07](#) 1708

11:00 PUBLIC HEALTH DEPARTMENT[641] Barb Nervig (281-4344)

Radiation, amendments to chs 38, 39, 41, 42, 45, 46, Notice **ARC 5912B** [6/6/07](#) 1627

Brain injury services program, ch 56, Notice **ARC 5915B**, also Filed Emergency **ARC 5914B** [6/6/07](#) 1633

Abuse education review panel, 93.2(1), 93.3, Notice **ARC 5913B** [6/6/07](#) 1632

11:30 IOWA FINANCE AUTHORITY[265] Mark Thompson (281-4868)

Low-income housing tax credits—2008 Qualified Allocation Plan, 12.1, 12.2, Notice **ARC 6014B** [7/4/07](#) 31

11:50 COMMITTEE BUSINESS

---Approve minutes---August 2007 meeting--- Miscellaneous

12:00-1:00 lunch

1:00 EDUCATION DEPARTMENT[281] Carol Greta (281-5296)

Teacher librarians; media programs, 12.2, 12.3(11), 12.3(12), Filed **ARC 5919B** [6/6/07](#) 1637

Statewide voluntary preschool program, ch 16, Notice **ARC 5968B**, also Filed Emergency **ARC 5969B** [6/20/07](#) 1703

Special education, ch 41, Notice **ARC 5920B** [6/6/07](#) 1556

Practitioner preparation programs, 79.2 to 79.7, 79.10 to 79.15, Notice **ARC 5921B** [6/6/07](#) 1619

UPDATE: rules implementing anti-bullying requirements--Senate File 61

2:15 ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo (281-8678)

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Wastewater construction and operation permits, 64.3(4)"b"(4), 64.6(2), 64.6(6), 64.15(1) to 64.15(3), Filed **ARC 6000B** [7/4/07](#) 89

Sanitary landfills for municipal solid waste—groundwater protection systems for the disposal of nonhazardous wastes, 101.13(1)"j"(4), 104.25, chs 111, 113, Filed **ARC 5999B** [7/4/07](#) 89

END OF TUESDAY REVIEWS

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WEDNESDAY, JULY 11TH, 2007

8:30	EDUCATIONAL EXAMINERS BOARD[282]		
	EDUCATION DEPARTMENT[281]“umbrella”		
	Fee for extension of coaching authorization renewal, 14.121(1)“b”(10), 19.5(2), <u>Notice</u> ARC 5945B	6/6/07	1553
	Statement of professional recognition for school nurses, 14.140(11)“b,” <u>Notice</u> ARC 5917B , also <u>Filed Emergency</u> ARC 5916B	6/6/07	1633
	Business teaching endorsement, 14.141(3) to 14.141(5), <u>Notice</u> ARC 5942B	6/6/07	1554
	Mathematics teaching endorsement—coursework in geometry, 14.141(13)“b,” <u>Notice</u> ARC 5946B	6/6/07	1555
	Evaluator license renewal—coursework, 20.58(1), <u>Notice</u> ARC 5943B	6/6/07	1555
9:00	NATURAL RESOURCE COMMISSION[571] Marla Gallardo (281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Rules of practice in contested cases, ch 7, <u>Notice</u> ARC 6004B	7/4/07	36
	Game management areas, 51.10, <u>Filed</u> ARC 5950B	6/20/07	1745
	Wildlife refuges, 52.1(2)“a,” <u>Filed</u> ARC 5952B	6/20/07	1746
	Commercial fishing on the Mississippi, 82.2(2), 82.2(5)“c,” 82.2(8) to 82.2(10), <u>Notice</u> ARC 5956B	6/20/07	1692
	Game harvest reporting; landowner–tenant registration, 95.1(1), 95.2, 95.2(2), 95.2(4), <u>Filed</u> ARC 5951B	6/20/07	1746
	Wild turkey spring hunting, 98.2(3), 98.9(2), 98.10, 98.11(1), <u>Filed</u> ARC 5953B	6/20/07	1746
	Wild turkey fall hunting, 99.4, 99.5(1), <u>Filed</u> ARC 5954B	6/20/07	1747
	Deer hunting by residents, 106.2(5), 106.6(2) to 106.6(4), 106.6(6), 106.7(5), 106.7(8), 106.10(2), 106.11, <u>Filed</u> ARC 6002B	7/4/07	153
	Rabbit and squirrel hunting, 107.1, 107.3, <u>Filed</u> ARC 5955B	6/20/07	1747
	Trapping seasons for bobcats, beavers, and otters, 108.4, 108.6 to 108.8, <u>Filed</u> ARC 6001B	7/4/07	157
9:40	LAW ENFORCEMENT ACADEMY[501] Penny Westfall (242-5357)		
	Reserve peace officers— standardized training and certification; revocation of certification, 6.2, 10.200 to 10.212, <u>Notice</u> ARC 6025B	7/4/07	32
10:00	SECRETARY OF STATE[721] Sandy Steinbach (281-5823)		
	Local sales and services tax reimposition elections, 21.800(3)“b”(2), <u>Filed Emergency</u> ARC 5927B	6/6/07	1635
	Paper record requirement—reimbursement procedure, 22.32, <u>Filed Emergency</u> ARC 5979B	7/4/07	85
10:20 to 10:30 Break			
10:30	LABOR SERVICES DIVISION[875] Kathleen Uehling (281-5915)		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”		
	Employee discrimination complaints; OSHA standards—adoption by reference, 9.16, 10.20, <u>Filed</u> ARC 5936B	6/6/07	1647
	Protective clothing and equipment standards for firefighters, rescind ch 27, <u>Filed</u> ARC 6034B	7/4/07	152
	Professional boxing and shoot fighting—blood–borne disease testing, 173.54, 177.5(11), <u>Filed</u> ARC 5935B	6/6/07	1647
	Professional shoot–fighting events—promoter responsibilities, 177.2(2), <u>Notice</u> ARC 5929B	6/6/07	1624
	Professional shoot–fighting events—attendance of labor commissioner, 177.9, <u>Notice</u> ARC 5928B	6/6/07	1625
	Insurance coverage for professional shoot fighters, 177.10, <u>Notice</u> ARC 5934B	6/6/07	1625
10:50	COLLEGE STUDENT AID COMMISSION[283] Julie Leeper (242-3370)		
	EDUCATION DEPARTMENT[281]“umbrella”		
	All Iowa opportunity scholarship program, ch 8, <u>Notice</u> ARC 6017B , also <u>Filed Emergency</u> ARC 6006B	7/4/07	40
	All Iowa opportunity foster care grant program, ch 9, <u>Notice</u> ARC 6018B , also <u>Filed Emergency</u> ARC 6007B	7/4/07	41
	Registered nurse and nurse educator loan forgiveness program, ch 34, <u>Notice</u> ARC 6020B , also <u>Filed Emergency</u> ARC 6008B	7/4/07	43
	Iowa teacher shortage loan forgiveness program, ch 35, <u>Notice</u> ARC 6022B , also <u>Filed Emergency</u> ARC 6011B	7/4/07	44

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11:10	INSURANCE DIVISION[191] Susan E. Voss (281-6836) COMMERCE DEPARTMENT[181]"umbrella" Preneed funeral contracts—conversion of establishment permits and sales permits, 19.72, <u>Filed Emergency ARC 5983B</u> 7/4/07	84
	Long-term care insurance—producer training requirements, 39.15(4), <u>Notice ARC 5984B</u> 7/4/07	30
	Regulation of securities offerings and those who engage in the securities business, ch 50, <u>Filed ARC 5974B</u> 6/20/07	1709
11:30-12:30 Lunch		
12:30	HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg (281-8438) Calculation of countable income for FIP, FMAP and CMAP eligibility, 41.27(1)"g"(1), 41.27(1)"j," 41.27(2)"c," 41.27(8)"a"(1), 41.27(8)"b"(6), 41.27(9)"a"(2), (3) and (7), 41.27(9)"b"(4), 75.1(35)"g"(2)"2," 75.57(2)"c," 75.57(8)"a," 75.57(8)"b"(6), 75.57(9)"a"(2) to (4) and (7), 75.59(4), <u>Notice ARC 5981B</u> , also <u>Filed Emergency ARC 5980B</u> 7/4/07	71
	Emergency assistance, ch 58, div. I, <u>Filed Emergency After Notice ARC 5982B</u> 7/4/07	74
	Food assistance program—eligible students, 65.26, <u>Filed ARC 5918B</u> 6/6/07	1637
	Medical assistance eligibility cards, 75.1(39)"b"(2), 75.25, 76.6, 76.6(1) to 76.6(5), 76.9, 76.9(2), 80.5(1), 88.5(1), 88.46(5), 88.63(2), 88.63(6), 92.6, <u>Filed ARC 5940B</u> 6/6/07	1638
	Medicaid eligibility and financial participation of a married person residing in a medical institution who has a spouse who does not live in an institution, 75.5(3)"d," 75.16(2)"d"(3), <u>Notice ARC 5987B</u> , also <u>Filed Emergency ARC 5986B</u> 7/4/07	76
	Exemptions to federal requirement for verifying citizenship and identity for children who are receiving federally funded foster care, adoption subsidy, or child welfare services and people receiving Medicare, Social Security disability or SSI, 75.11(2)"c" and "f," <u>Notice ARC 5989B</u> , also <u>Filed Emergency ARC 5988B</u> 7/4/07	77
	Personal needs allowance for Medicaid members who reside in a medical institution, 75.16(2)"a," 75.16(2)"a"(3), <u>Notice ARC 6021B</u> , also <u>Filed Emergency ARC 6019B</u> 7/4/07	78
	Personal needs allowance for Medicaid members who reside in a long-term care facility, 75.16(2)"a"(1), <u>Notice ARC 6024B</u> , also <u>Filed Emergency ARC 6023B</u> 7/4/07	78
	Annual update of statewide average cost of nursing facility services to a private pay resident and statewide average charges or maximum Medicaid rate for various levels of institutional care, 75.23(3), 75.24(3)"b"(1) and (4) to (6) <u>Filed Emergency ARC 5990B</u> 7/4/07	79
	Durable medical equipment, prosthetic devices, and medical supplies, 77.10, 78.1(1)"b," 78.2(1)"b," 78.10, 78.10(1), 78.10(1)"a" and "b," 78.10(1)"b"(1), 78.10(1)"i," 78.10(2)"b," 78.10(2)"d"(4), 78.10(3)"b," 78.10(3)"c"(3) and (4), 78.10(4), 78.10(4)"a" and "b," 78.28(1)"b," "d" and "i," 79.1(13), 79.1(13)"c," 81.10(5)"a"(3), <u>Notice ARC 5971B</u> 6/20/07	1690
	Medicaid reimbursement methodology for community mental health centers, 79.1(2), 79.1(25), <u>Notice ARC 5985B</u> 7/4/07	24
	Medicaid reimbursement methodology for hospital inpatient psychiatric services, 79.1(5)"b"(3), 79.1(5)"d"(1) and (2), 79.1(5)"g"(2) and (4), 79.1(5)"h," 79.1(5)"i," 79.1(5)"i"(1), 79.1(5)"r," 79.1(5)"r"(4), <u>Notice ARC 6013B</u> 7/4/07	26
	Education about false claims recovery, 79.15, <u>Notice ARC 5978B</u> 7/4/07	27
	Fingerprint checks required for foster and adoptive parents and adult members of their households, 108.8(1)"c"(13), 113.13, 200.4(1)"b," <u>Notice ARC 6012B</u> , also <u>Filed Emergency ARC 6009B</u> 7/4/07	80
	Service provider rate increases, 150.3(5)"p," 156.6(1), 156.11(3)"c," 185.112(1)"k," 185.112(14)"c" and "d," <u>Notice ARC 5993B</u> , also <u>Filed Emergency ARC 5992B</u> 7/4/07	81
	Citizenship requirements for child care assistance, 170.2(2)"d," <u>Filed ARC 5994B</u> 7/4/07	151
	Alternative claim form for child care assistance, 170.4(2)"a"(5), examples "1" to "3," 170.4(7), <u>Notice ARC 5998B</u> , also <u>Filed Emergency ARC 5996B</u> 7/4/07	82
	Family-centered child welfare services; family-centered services, ch 172, 182.2(6), 182.2(8), 182.3, 182.3(1), 182.5(1)"b"(2) to (4), 182.5(1)"c"(2) to (4), 182.5(5), 182.6(7), 182.6(9), 182.7(1)"a"(2) to (4), 182.7(2), 182.7(3), 182.7(4)"e" and "f," 182.8(1)"e," 182.8(2)"b"(3) and (4), 182.8(2)"c," <u>Filed ARC 5937B</u> 6/6/07	1640
	Child abuse assessment summary addendum, 175.26(1)"h," 175.26(2), <u>Filed Emergency After Notice ARC 6005B</u> 7/4/07	83

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No Representative requested to appear

XX:00	ELDER AFFAIRS DEPARTMENT[321] Boards of directors for area agencies on aging, 6.8 to 6.12, 6.12(4), 6.13 to 6.18, <u>Notice</u> ARC 5607B <u>Terminated</u> ARC 5991B	7/4/07	21
XX:00	ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C] Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella" Land surveying licensure—experience, education, 5.1(1), <u>Notice</u> ARC 5944B Certification of documents—use of electronic signature, 6.1(9), <u>Notice</u> ARC 5941B	6/6/07 6/6/07	1623 1624
XX:00	HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605] PUBLIC DEFENSE DEPARTMENT[601]"umbrella" Continuing education for local emergency management coordinators, 7.4(4), <u>Notice</u> ARC 5975B Emergency management performance grants, 7.7(3), <u>Notice</u> ARC 5970B Enhanced 911 telephone systems, 10.9(3)"f," 10.14(4), <u>Notice</u> ARC 5976B	6/20/07 6/20/07 6/20/07	1687 1688 1689
XX:00	INTERIOR DESIGN EXAMINING BOARD[193G] Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella" Professional conduct, ch 4, <u>Filed</u> ARC 5931B Grounds for discipline; disciplinary authority, investigations, and proceedings, chs 5 to 7, <u>Filed</u> ARC 5932B	6/6/07 6/6/07	1646 1647
XX:00	IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495] Corrective amendments, 11.5(2), 12.1(7)"c"(2) to (6), <u>Notice</u> ARC 6035B	7/4/07	32
XX:00	LOTTERY AUTHORITY, IOWA[531] Pull-tab general rules—claiming prizes, 19.8, <u>Filed</u> ARC 6003B	7/4/07	152
XX:00	PHARMACY EXAMINERS BOARD[657] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Overpayment of fees, 1.7, <u>Notice</u> ARC 5964B Return and reuse of prescription drugs, 6.15(3), <u>Notice</u> ARC 5965B Bulk drug counting machines; continuous quality improvement program; pharmacy licensure, 8.5(8), 8.26, 8.35(8), <u>Filed</u> ARC 5925B Delivery of filled prescriptions; fax transmission of prescription drug orders, 8.15(1), 21.9, <u>Notice</u> ARC 5966B Sterile compounding practices, 8.30, ch 13, <u>Filed</u> ARC 5924B Automated medication distribution systems, 9.7, <u>Amended Notice</u> ARC 5933B Controlled substances, 10.16, 10.31 to 10.33, 10.34(6), 10.34(7), 10.35, <u>Filed</u> ARC 5926B Wholesale drug licensure, 17.3(6), 17.6, <u>Filed</u> ARC 5923B Emergency/first dose drug supply, 22.7(1), 22.7(7), <u>Filed</u> ARC 5922B	6/20/07 6/20/07 6/6/07 6/20/07 6/6/07 6/6/07 6/6/07 6/6/07 6/6/07	1693 1694 1648 1694 1649 1626 1657 1661 1662
XX:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Massage therapy, 131.8(3)"c," ch 132, 135.1(10), <u>Notice</u> ARC 5977B	7/4/07	37
XX:00	REAL ESTATE APPRAISER EXAMINING BOARD[193F] Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella" Appraisal logs; course requirements, 4.1(6), 5.2(1), 6.2(3), 13.2(3), 14.2(3), <u>Notice</u> ARC 5973B Monthly logs; initial certification; license renewal, 4.1(7), 5.4, 6.4, 11.2(1)"d," <u>Filed</u> ARC 5972B	6/20/07 6/20/07	1695 1748
XX:00	REAL ESTATE COMMISSION[193E] Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella" Salesperson prelicense education; continuing education audit, 4.1, 16.2(3) to 16.2(6), 16.5(3), <u>Filed</u> ARC 5967B	6/20/07	1748

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XX:00	STATE PUBLIC DEFENDER[493]	
	INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"	
	Rate of compensation, 12.4, 12.5(1), 12.6(3)"a" and "b," 14.3,	
	<u>Notice</u> ARC 6016B , also <u>Filed Emergency</u> ARC 6015B	7/4/07 86
XX:00	TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751]	
	Advisory committees; agency organization and duties; address change, 1.3"3," 1.5(2),	
	1.6(1), <u>Notice</u> ARC 5948B	6/20/07 1696
	Address change, 2.3(1), <u>Notice</u> ARC 5949B	6/20/07 1697
	Address change, 3.1, 3.3(3), 3.5, 3.6(2), <u>Notice</u> ARC 5957B	6/20/07 1697
	Address change, 4.12(3) to 4.12(5), <u>Notice</u> ARC 5958B	6/20/07 1698
	Address change; authorized spending limit, 5.2(4)"a," 5.17, 5.19(3), <u>Notice</u> ARC 5959B	6/20/07 1699
	TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751] continued	
	Name change of central switching hub, 7.1, <u>Notice</u> ARC 5960B	6/20/07 1700
	Request for waiver of network use, 9.1, <u>Notice</u> ARC 5961B	6/20/07 1700
	Address change, 16.6, <u>Notice</u> ARC 5962B	6/20/07 1701
	Address change, 18.5(1), 18.5(5), 18.6(2), 18.11(1), <u>Notice</u> ARC 5963B	6/20/07 1701
XX:00	TRANSPORTATION DEPARTMENT[761]	
	Iowa airport registration, 720.2 to 720.6, 720.10, 720.15(2), 720.15(3), <u>Filed</u> ARC 5997B	7/4/07 158
	School transportation services provided by regional transit systems, 911.5(1), 911.7(1)"b," 911.7(2),	
	911.10(8), <u>Filed</u> ARC 5995B	7/4/07 158
XX:00	UTILITIES DIVISION[199]	
	COMMERCE DEPARTMENT[181]"umbrella"	
	Filing of line and pole replacement data, 20.18(7)"i," 25.3(1), 25.3(3)"d," 25.3(4), <u>Filed</u> ARC 6010B	7/4/07 159
	Prohibition of unauthorized changes in telecommunications service,	
	22.23(2)"a"(5), <u>Filed</u> ARC 5938B	6/6/07 1662
	Equipment distribution program income limit, 37.3(8), <u>Filed</u> ARC 5939B	6/6/07 1663